

// A regular meeting of the Council of the City of Lynchburg was held on the 11th day of May, 2004, at 7:30 P.M. in the Council Chamber, City Hall, Carl B. Hutcherson, Jr., President, presiding. Vice Mayor Dodson gave the Invocation. The Pledge of Allegiance was led by the Police Officer in attendance. The following Members were present:

Present: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Absent: 0

// Copies of the minutes of the April 20, 21, and 27 (three meetings), 2004 meetings, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Barksdale, seconded by Council Member Foster, Council by the following recorded vote approved the minutes as presented:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Public Works – Sanitary Landfill, City Council Report #2 was considered. On motion of Council Member Barksdale, seconded by Council Member Foster, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-04-051, as presented, amending the FY2004 Solid Waste Management Fund Budget and appropriating \$9,188, fully reimbursable, for the continuation of litter control and recycling activities:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Fire – General, City Council Report #3 was considered. On motion of Council Member Barksdale, seconded by Council Member Foster, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-04-052, as presented, amending the FY2004 City/Federal/State Aid Projects Fund Budget and appropriating \$185,070, fully reimbursable, to purchase personal protective, search and rescue, and logistical support equipment and training for the Fire and EMS Department:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Airport – General, City Council Report #4 was considered. On motion of Council Member Barksdale, seconded by Council Member Foster, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-04-053, as presented, amending the FY2004 Airport Projects Grant Fund Budget and appropriating \$20,000, fully reimbursable, for air service development activities:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Airport - General, City Council Report #5 was considered. On motion of Council Member Barksdale, seconded by Council Member Foster, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-04-054, as presented, amending

the FY2004 Airport Projects Grant Fund Budget and appropriating \$20,000, with \$10,000 reimbursement, for marketing and promotion activities:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Noes: 0

// In the matter of Sheriff/Commonwealth Attorney, City Council Report #6 was considered. On motion of Council Member Barksdale, seconded by Council Member Foster, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-04-055, as presented, amending the FY2004 Budget and appropriating \$22,230, fully reimbursable, for reimbursement of computer equipment for the Commonwealth Attorney's Office and computer equipment and part-time personnel for the Sheriff's Office:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Noes: 0

// Mayor Hutcherson recognized and presented certificates to Liberty University's Lady Flames Basketball Team for having won the Big South Tournament each year since 1997 and for having played in the NCAA Tournament for eight years, the Flames Men's Basketball Team in winning the 2004 Big South Tournament and on playing in the 2004 NCAA Tournament, and to the Debate Team for having received its fourth number one ranking in the National Debate Tournament and its sixth number one ranking in the American Debate Association.

// Mayor Hutcherson presented a resolution declaring the weekend of May 22, 2004, to be drug and alcohol-free among the teen and adult population in the City.

// In the matter of Schools - General, a public hearing was held to receive the views and/or nominations of the citizens of Lynchburg concerning the Council's appointments or reappointments for three positions on the Lynchburg School Board, one from each school district. At the request of Mayor Hutcherson, the Clerk read into the record the names of the current School Board members whose terms will expire on June 30: District 1, Charles C. Hooks, Jr.; District 2, James T. Ballengee; and District 3, Lyle Schweitzer. The Clerk then read into the record the names of volunteers who have applied to-date to serve on the School Board: District 1—Alex Bell, Charles Ingerson, Bryan E. Tiller, and Elizabeth Weiland; District 2—Barry Bain, Jr., Eric A. Chisholm, Denise Crews, Atul Gupta, Lester Lamb, Daniel Price, Ronald Shoultz, Thomas Webb, Jenny West, and Nancy Young; District 3—Albert L. Billingsley, Helen W. Haskins, Stephen C. Hundley, and Glyn Wooldridge. There was one individual present who spoke in support of Dr. Atul Gupta. There was no one else present who wished to speak. On motion of Council Member Adams, seconded by Vice Mayor Dodson, Council by the following recorded vote agreed to continue the public hearing until May 25 to allow more time for citizens to apply for the positions on the School Board:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson 7

Noes: 0

// In the matter of City Code, a public hearing was held regarding City Council Report #8 regarding adoption of an ordinance amending Section 21.1-8 of the City Code to require adequate receptacles for

waste generated at residential construction and demolition sites within the City. City Manager Kimball Payne provided an overview regarding the history behind the request for the proposed amendment to the City Code. Ms. Catherine Angel was present to reiterate her original request that dumpsters be required at construction sites to contain the trash. There was no one else present who wished to speak to this item. On motion of Council Member Adams, seconded by Council Member Seiffert, Council by the following recorded vote adopted Ordinance #O-04-056, as presented, amending Section 21.1-8 of the City Code to require adequate receptacles for waste generated at residential construction and demolition sites within the City:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson

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Noes:

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// In the matter of Budget, a public hearing was held regarding City Council Report #9 regarding amending the Fiscal Year 2004 Budget and appropriating funds to implement revenue, expenditure and transfer adjustments for the General Fund Operating Budget, the Capital Improvement Program Fund, the Fleet Services Fund, the City/Federal/State Aid Fund, the School Operating Fund and the Comprehensive Services Act Fund. Assistant Director of Financial Services Donna Witt outlined the request. There was no one else present who wished to speak to this item. On motion of Vice Mayor Dodson, seconded by Council Member Barksdale, Council by the following recorded vote introduced and laid over to a later meeting for final action Ordinance #O-04-057, as presented, amending the Fiscal Year 2004 Budget and appropriating funds to implement revenue, expenditure and transfer adjustments for the General Fund Operating Budget, the Capital Improvement Program Fund, the Fleet Services Fund, the City/Federal/State Aid Fund, the School Operating Fund and the Comprehensive Services Act Fund:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson

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Noes:

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// In the matter of Budget, Edward F. Sulzbach, Director of the Central Virginia Criminal Justice Academy, representing the Lynchburg Emergency Operations Communications Specialists (911 dispatchers), explained that although the Lyn-COM dispatchers are a critical part of public safety, they are also one of the most overlooked of all public safety employees and asked that City Council take into consideration their vital role in public safety when considering compensation for City employees.

// In the matter of Budget, Art Lipscomb, President of the Lynchburg Fire Fighters Association, explained that firefighters' jobs are just as dangerous as those of police officers and asked that City Council treat all public safety employees as equal partners in terms of compensation. Due to the additional state revenue and since they were included in the original police pay plan, Council Member Foster asked the City Manager to review the budget and present some options on funding salary adjustments for the 911 dispatchers effective July 1. Ms. Foster also expressed an interest in looking at options to provide adjustments to firefighters' salaries consistent with the Compensation Philosophy.

// In the matter of City Council, Melissa Gilmore and Gina Roberts asked City Council to waive the collection and payment of the meals tax on May 31, 2004, for those restaurants who go "smoke free" on May 31 in support of World No Tobacco Day. City Attorney Walter Erwin advised City Council that they did not have the authority to waive the meals tax for selected restaurants.

// In the matter of FY2005 Budget/City Code, City Council Report #13 regarding adoption of the Proposed FY2005 Operating and Capital Budgets was considered. City Manager Kimball Payne stated that preliminary information has just been obtained that indicates the City will receive additional funding from the State during FY2005 and that staff would like additional time to evaluate and verify the information. Mr. Payne went on to say that City Council will be given an opportunity at the May 25 work session to review the information and, if necessary, make changes to the budget ordinances prior to their adoption which is scheduled for the 5:00 p.m. meeting. Mr. Payne recommended that City Council go ahead and introduce the budget ordinances as presented with the understanding that the ordinances can be amended prior to their adoption. On motion of Vice Mayor Dodson, seconded by Council Member Barksdale, Council by the following recorded vote introduced and laid over to a later meeting for final action Budget Ordinance #O-04-058, as presented, adopting the FY 2005 Proposed General Fund Operating Budget and appropriating \$141,372,765 for this budget, Budget Ordinance #O-04-059, as presented, adopting all other FY 2005 Proposed Operating Fund Budgets and appropriating the sums for each fund, Budget Ordinance #O-04-060, as presented, adopting the FY 2005-2009 Capital Improvement Program, Budget Ordinance #O-04-061, as presented, appropriating funds for the first year of the FY 2005-2009 Capital Improvement Program, Budget Ordinance #O-04-062, as presented, amending and reenacting Sections 5-6, 36-130, 36-149, 36-150, 36-152, 36-254.1 and 36-262 of the Lynchburg City Code relating generally to ambulance rates, motor vehicle license fees, tangible personal property, real estate, meals and amusement tax rates:

Ayes: Barksdale, Dodson, Foster, Seiffert, Hutcherson

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Noes: Adams, Garber

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// The meeting was recessed at 8:42 P.M. to May 25, at 1:00 P.M., to conduct a work session regarding several items.

Clerk of Council